

PATENT

Client-Matter No.: 66655-024  
(P-NI 4552)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	)	Confirmation No.: 4685
J. Michael Salbaum	)	
	)	Group Art Unit: 1644
Serial No: 09/754,997	)	
	)	Examiner: M. Haddad
Filed: January 4, 2001	)	
	)	
For: NOPE POLYPEPTIDES,	)	
ENCODING NUCLEIC ACIDS	)	
AND METHODS OF USE	)	
	)	

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**DECLARATION PURSUANT TO 37 C.F.R § 1.131**

I, J. Michael Salbaum, declare as follows:

1. I am the J. Michael Salbaum named as the inventor on the above-identified application.
2. I am the sole inventor of the claimed nucleic acid molecules encoding Nope polypeptide.
3. In regard to the publication Salbaum and Kappen, Genomics 64:15-23 (2000), I am an author of the publication. Prior to the effective date of Salbaum and Kappen and of GenBank accession No. AF176694, I invented the claimed nucleic acid molecules encoding Nope polypeptide. Dr. Kappen was not essential to the discovery of the claimed nucleic acid molecules

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encoding Nope polypeptide. Her role on the publication pertains to evolutionary sequence analysis, a field where she is a recognized expert.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that any such willful false statement may jeopardize the validity of the application or any patent issued thereon.

09.08.03  
\_\_\_\_\_  
Date of signature

Dr. J. M. Salbaum  
\_\_\_\_\_  
J. Michael Salbaum